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ARMSTRONG,WESTERMAN & HATTORI, LLP			EXAMINER	
1725 K STRE SUITE 1000	ET, NW	WHIPKEY, JASON T		
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			2612	
			DATE MAILED: 01/29/2003	;

Please find below and/or attached an Office communication concerning this application or proceeding.

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•		Application No.	Applicant(s)			
		09/082,581	NAGASE, KENJI			
•	Office Action Summary	Examiner	Art Unit			
		Jason T. Whipkey	2612			
Period f	The MAILING DATE of this communication ap for Reply	opears on the cover she	et with the correspondence address			
A SI THE - Ext afte - If th - Fai - Any	HORTENED STATUTORY PERIOD FOR REP MAILING DATE OF THIS COMMUNICATION ensions of time may be available under the provisions of 37 CFR 1 er SIX (6) MONTHS from the mailing date of this communication. he period for reply specified above is less than thirty (30) days, a re O period for reply is specified above, the maximum statutory period lure to reply within the set or extended period for reply will, by statury or reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, m .ply within the statutory minimum of will apply and will expire SIX (6) .te, cause the application to become	ay a reply be timely filed of thirty (30) days will be considered timely. MONTHS from the mailing date of this communication. ne ABANDONED (35 U.S.C. § 133).			
1)[Responsive to communication(s) filed on 28	October 2002 .				
2a)[his action is non-final.				
3)□						
Disposi	closed in accordance with the practice unde tion of Claims	r Ex parte Quayle, 193	5 C.D. 11, 453 O.G. 213.			
·	Claim(s) <u>1-8</u> is/are pending in the application	٦.				
	4a) Of the above claim(s) is/are withdr	awn from consideration				
5)[Claim(s) is/are allowed.					
6)⊠	Claim(s) 1-8 is/are rejected.					
7)[Claim(s) is/are objected to.	Claim(s) is/are objected to.				
	Claim(s) are subject to restriction and	or election requirement				
	tion Papers					
	The specification is objected to by the Examir					
10)⊠	The drawing(s) filed on 21 May 1998 is/are: a		•			
44\	Applicant may not request that any objection to					
11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.						
If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) All b) Some * c) None of:						
	1. ☐ Certified copies of the priority documents have been received.					
	2. Certified copies of the priority documents have been received in Application No					
	Copies of the certified copies of the pri application from the International B	ority documents have b	een received in this National Stage			
*	See the attached detailed Office action for a list					
14)	14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).					
	 The translation of the foreign language p Acknowledgment is made of a claim for dome: 					
Attachme	• •					
2) 🔯 Not	ice of References Cited (PTO-892) ice of Draftsperson's Patent Drawing Review (PTO-948) rmation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notic	view Summary (PTO-413) Paper No(s) e of Informal Patent Application (PTO-152)			

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

- 1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 28, 2002, has been entered.
- 2. The indicated allowability of claims 4, 5, 7, and 8 is withdrawn in view of the newly discovered references to Josephson and Preis. Rejections based on the newly cited references follow.

Response to Arguments

- 3. Applicant's arguments filed October 28, 2002, have been fully considered but they are not persuasive.
- 4. In response to the rejection of claim 6, the applicant argues that MPEP §2143, which is based on *In re Vaeck*, supersedes the citation of *In re Keller*.

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The examiner agrees that he must have a motivation to combine two references, as described in the *In re Vaeck* decision. However, the examiner believes he done so and he expounds on that belief in item 5 below.

Additionally, on page 8, lines 6-8, of the first amendment filed by the applicant, the applicant argues, "Sawanobori is entirely different from Iwamoto in that Iwamoto includes only the single boosting circuit whereas Sawanobori is having two power source lines thus cannot be combined with Iwamoto."

The *In re Keller* decision states that, "The test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference. ... Rather, the test is what the combined teachings of those references would have suggested to those of ordinary skill in the art."

In re Vaeck and In re Keller are not contradictory. Rather, the citation of Keller was appropriate because the applicant argues that the *embodiments* of the cited art cannot be physically combined, even though the test is whether the combined *teachings* of the cited art would have suggested the applicant's invention to those of ordinary skill in the art. See MPEP §2145.

5. In order to establish a *prima facie* case of obviousness, *In re Vaeck* requires the examiner to meet three criteria, according to MPEP §706.02(j). Each will be addressed individually.

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First, there must be some suggestion or motivation, either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art, to

modify the reference or to combine reference teachings.

Iwamoto shows that capacitor C_2 (and therefore terminals V_{DD} and V_{SS2} , with voltages of +5V and -5V, respectively), shown in Figure 1, may be short-circuited via switch SW_5 upon power off (column 5, lines 43-51). This eliminates a residual voltage between the terminals (column 5, lines 51-53). Consequently, the significant teaching provided by Iwamoto is that short-circuiting two output terminals of a power supply eliminates a residual voltage between the terminals.

Sawanobori shows that CCD 15 uses a power supply 15 consisting of a 15V line and a -9V line (Drawing 1). When power is lost on -9V line S3, discharge circuit 18 discharges the line to prevent "deterioration or destruction of the image pickup element due to application of a negative voltage" (constitution, lines 15-21). Therefore, the significant teachings provided by Sawanobori are: (a) that CCDs may require power supplies outputting separate positive and negative voltages, and (b) that a discharge circuit may prevent deterioration of or destruction to a CCD.

Using "knowledge generally available to one of ordinary skill in the art," a power supply, such as the one described by Iwamoto, may operate irrespective of the device to which it is attached. Additionally, CCDs may operate irrespective of the structure of the power supply to which it is connected, assuming it receives the correct voltage or voltages. Since CCDs need a power supply in order to function, which was the

conclusion reached by teaching (a) of Sawanobori, it would have been obvious to one of ordinary skill in the art at the time of invention to connect a CCD to a power supply.

Acknowledging the teaching of Iwamoto and teaching (b) of Sawanobori as described above, it would have been obvious to one of ordinary skill in the art at the time of invention to discharge two terminals because the discharge eliminates a residual voltage between two terminals, and a discharge circuit may prevent deterioration of or destruction to a CCD.

Second, there must be a reasonable expectation of success.

Again, using the three *teachings* described above — and not the actual embodiments shown in the art — with the knowledge generally available to one of ordinary skill in the art, there is a reasonable expectation of success.

As described above, a power supply may operate irrespective of the device to which it is attached, and CCDs may operate irrespective of the structure of the power supply to which it is connected, assuming it receives the correct voltage or voltages. Since a discharge circuit between two terminals eliminates a residual voltage between the terminals and discharging a power supply line may prevent deterioration of or destruction to a CCD, there is a reasonable expectation that the combination of lwamoto's and Sawanobori's teachings would be successful.

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The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure.

The teachings/suggestions and expectation of success are described above.

Line 1 of claim 6 has no patentable weight. The limitations in lines 2-8 are disclosed by Iwamoto, wherein the first circuit includes voltage source 3, conductors connecting it to terminal V_{DD} , and SW5, and the second circuit includes voltage source 3, conductors connecting it to terminal V_{SS2} , and SW5. The limitations in lines 9-10 are disclosed by Sawanobori.

6. Since the examiner as established a *prima facie* case of obviousness, the rejection of claim 6 stands.

Claim Rejections - 35 USC § 112

- 7. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 8. Claims 1-4 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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9. Claim 1 recites the limitation "capacitors" on line 14. There is insufficient antecedent basis for this limitation in the claim. Only one capacitor is introduced in the claim. For examination purposes, the examiner will assume the applicant intended to include only one capacitor in the claim.

Claims 2-4 are rejected as being dependent on rejected claim 1.

10. Lines 1-3 of claim 4 are indiscernible. Based on the prosecution history, the examiner will treat the claim as if it reads:

A power supply circuit according to claim 1, wherein <u>said first circuit</u> <u>includes</u> a fly-back circuit for receiving the first positive voltage from the chopper circuit to generate a high second positive voltage ...

voltage" in line 8. There is insufficient antecedent basis for this limitation in the claim. For examination purposes, the claim will be treated as if it reads, "a positive polarity voltage and negative polarity voltage".

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Preis.

Preis discloses a power supply that includes an electronic switch 22 (Figure 1), 12 which acts as a chopper circuit. Switch 22 "chops" the voltage produced by DC voltage source 11 by repeatedly switching on and off based on pulses from clock controlled control device 5 (column 3, lines 30-34).

Diode 44 and capacitor 45 form a fly-back circuit for boosting the voltage produced by electronic switch 22 and transformer 2. The voltage created by the fly-back circuit at second terminal "a" with respect to ground is greater than the positive voltage on first terminal "b", which is connected to the output of transformer 2 via diode 31. Specifically, the voltage at terminal "a" with respect to ground is equal to U4, which is equal to the voltage at terminal "b" with respect to ground (U2) plus an additional voltage U3 (column 4, lines 1-37).

Terminals "a" and "b" are connected with zener diode 46 (column 5, lines 29-34).

Claim Rejections - 35 USC § 103

14. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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15. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Josephson in view of Deaver.

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Regarding claim 1, Josephson discloses a power supply circuit, shown in Figure 1, with a first circuit for producing a positive polarity voltage at +12 V and +5 V output terminals, shown on the right side of the figure. This first circuit consists of rectifier 48, which includes capacitors 62 and 66 (column 4, lines 41-50), and a chopper circuit, which consists of electrical switch means 44 and transistor switch 24. Switch 24 turns on and off repeatedly to create a "chopped" output from transformer 22 (column 3, lines 44-52, and column 4, lines 13-27).

A second circuit, consisting of rectifier 16, diode 110, and capacitors 114 and 118, produce a negative polarity voltage of -12 V at an output terminal, shown on the right side of Figure 1. Ground terminal GND, also shown on the right side of Figure 1, provides a reference for the positive and negative terminals.

Josephson is silent with regard to including means for short-circuiting the positive and negative terminals upon loss of source power.

Deaver discloses a discharge circuit for capacitors in a power supply. The power supply shown in the figure includes a first circuit that generates a positive polarity voltage, consisting of the two diodes shown on the right of full-wave rectifier 12 and connected to the positive node. This node is connected to a capacitor 14. The positive polarity voltage is output via terminal +VOUT.

The power supply also includes a second circuit that generates a negative polarity voltage, consisting of the two diodes shown on the left of full-wave rectifier 12

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and connected to the negative node. This node is connected to a capacitor 16. The positive polarity voltage is output via terminal +VOUT. The transformer 10 is center-tapped to ground. When the AC voltage is removed capacitor 24 charges, which allows current to flow through the emitter-collector junction of PNP bipolar junction transistor 28 (column 3, lines 62-65). This discharges capacitors 14 and 16 (column 3, lines 66-67).

As stated in column 1, lines 61-66, this serves the purpose of preventing the discharge of hazardous amounts of charge stored in the capacitors, which makes the power supply safer. For this reason, it would have been obvious at the time of invention to have Josephson include a discharge means between the positive terminals and the negative terminals.

Regarding claims 2 and 3, transistor 28 in Deaver is a switching element, and resistor 30 is a current-limiting element. Both are located between the positive and negative terminals.

16. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Josephson in view of Deaver and further in view of Preis.

Claim 4 may be treated like claim 1. Additionally, Josephson includes a first positive polarity terminal for outputting a +5V voltage, which was produced by the first circuit described in the rejection of claim 1. Josephson also includes a fly-back circuit, consisting of secondary transistor winding 28 and rectifying circuit 48, to increase the voltage produced by the source side of transformer 22. The +12V voltage produced is placed on a second positive polarity terminal.

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Josephson is silent with regard to including a diode between the first and second positive polarity output terminals.

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Preis discloses a power supply that includes an electronic switch 22 (Figure 1), which acts as a chopper circuit. Diode 44 and capacitor 45 form a fly-back circuit for boosting the voltage produced by electronic switch 22 and transformer 2. The voltage created by the fly-back circuit at second terminal "a" with respect to ground is greater than the positive voltage on first terminal "b", which is connected to the output of transformer 2 via diode 31. Specifically, the voltage at terminal "a" with respect to ground is equal to U4, which is equal to the voltage at terminal "b" with respect to ground (U2) plus an additional voltage U3 (column 4, lines 1-37).

Terminals "a" and "b" are connected with zener diode 46 (column 5, lines 29-34).

As stated in column 5, lines 29-34, the advantage to including a zener diode between the two positive output terminals is that the voltage on the terminals is stabilized and the voltage U3 on capacitor 45 is held at a specific value. For this reason, it would have been obvious at the time of invention to have Josephson include a diode between the two positive polarity output terminals.

17. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iwamoto in view of Sawanobori.

lwamoto discloses a power supply circuit with a circuit generating a positive polarity voltage (3 and the node connecting to terminal V_{DD} ; see column 2, lines 58-64), a terminal for outputting the positive voltage (V_{DD}), a circuit generating a negative

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polarity voltage (3, the node connecting to terminal V_{SS1} ; see column 2, lines 58-64), and a terminal for outputting the negative voltage (V_{SS2} , when SW3 and SW4 are closed).

lwamoto shows that capacitor C_2 (and therefore terminals V_{DD} and V_{SS2} , with voltages of +5V and -5V, respectively), shown in Figure 1, may be short-circuited via switch SW_5 upon power off (column 5, lines 43-51). This eliminates a residual voltage between the terminals (column 5, lines 51-53). Consequently, the significant teaching provided by Iwamoto is that short-circuiting two output terminals of a power supply eliminates a residual voltage between the terminals.

lwamoto is silent with regard to using the power supply circuit with a CCD imager.

Sawanobori shows that CCD 15 uses a power supply 15 consisting of a 15V line and a -9V line (Drawing 1). When power is lost on -9V line S3, discharge circuit 18 discharges the line to prevent "deterioration or destruction of the image pickup element due to application of a negative voltage" (constitution, lines 15-21). Therefore, the significant teachings provided by Sawanobori are: (a) that CCDs may require power supplies outputting separate positive and negative voltages, and (b) that a discharge circuit may prevent deterioration of or destruction to a CCD.

A power supply, such as the one described by Iwamoto, may operate irrespective of the device to which it is attached. Additionally, CCDs may operate irrespective of the structure of the power supply to which it is connected, assuming it receives the correct voltage or voltages. Since CCDs need a power supply in order to function, which was

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the conclusion reached by teaching (a) of Sawanobori, it would have been obvious to one of ordinary skill in the art at the time of invention to connect a CCD to a power supply. Acknowledging the teaching of Iwamoto and teaching (b) of Sawanobori as described above, it would have been obvious to one of ordinary skill in the art at the time of invention to discharge two terminals because the discharge eliminates a residual voltage between two terminals, and a discharge circuit may prevent deterioration of or destruction to a CCD.

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18. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sawanobori in view of Josephson and further in view of Preis.

Sawanobori shows that CCD 15 uses a power supply 15 consisting of a 15V line and a -9V line (Drawing 1). However, Sawanobori is silent with regard to the specifics of the operation of power supply 15.

Josephson discloses a power supply circuit, shown in Figure 1, with a first circuit for producing a positive polarity voltage at +12 V and +5 V output terminals, shown on the right side of the figure. This first circuit consists of rectifier 48, which includes capacitors 62 and 66 (column 4, lines 41-50), and a chopper circuit, which consists of electrical switch means 44 and transistor switch 24. Switch 24 turns on and off repeatedly to create a "chopped" output from transformer 22 (column 3, lines 44-52, and column 4, lines 13-27).

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A second circuit, consisting of rectifier 16, diode 110, and capacitors 114 and 118, produce a negative polarity voltage of -12 V at an output terminal, shown on the right side of Figure 1.

Josephson includes a first positive polarity terminal for outputting a +5V voltage.

Josephson also includes a fly-back circuit, consisting of secondary transistor winding 28 and rectifying circuit 48, to increase the voltage produced by the source side of transformer 22. The +12V voltage produced is placed on a second positive polarity terminal.

Since Sawanobori is silent with regard to the specific circuitry used in power supply 15, one skilled in the art would recognize that any power supply producing positive and negative DC outputs could be used. For this reason, it would have been obvious at the time of invention to have Sawanobori's camera system include a power supply like the one described by Josephson.

Josephson is silent with regard to including a diode between the first and second positive polarity output terminals.

Preis discloses a power supply that includes an electronic switch 22 (Figure 1), which acts as a chopper circuit. Diode 44 and capacitor 45 form a fly-back circuit for boosting the voltage produced by electronic switch 22 and transformer 2. The voltage created by the fly-back circuit at second terminal "a" with respect to ground is greater than the positive voltage on first terminal "b", which is connected to the output of transformer 2 via diode 31. Specifically, the voltage at terminal "a" with respect to

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ground is equal to U4, which is equal to the voltage at terminal "b" with respect to ground (U2) plus an additional voltage U3 (column 4, lines 1-37).

Terminals "a" and "b" are connected with zener diode 46 (column 5, lines 29-34).

As stated in column 5, lines 29-34, the advantage to including a zener diode between the two positive output terminals is that the voltage on the terminals is stabilized and the voltage U3 on capacitor 45 is held at a specific value. For this reason, it would have been obvious at the time of invention to have Josephson include a diode between the two positive polarity output terminals.

19. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Josephson in view of Deaver and further in view of Preis.

Josephson discloses a power supply circuit, shown in Figure 1, with a first circuit for producing a positive polarity voltage at +12 V and +5 V output terminals, shown on the right side of the figure. This first circuit consists of rectifier 48, which includes capacitors 62 and 66 (column 4, lines 41-50), and a chopper circuit, which consists of electrical switch means 44 and transistor switch 24. Switch 24 turns on and off repeatedly to create a "chopped" output from transformer 22 (column 3, lines 44-52, and column 4, lines 13-27).

A second circuit, consisting of rectifier 16, diode 110, and capacitors 114 and 118, produce a negative polarity voltage of -12 V at an output terminal, shown on the right side of Figure 1.

Josephson includes a first positive polarity terminal for outputting a +5V voltage.

Josephson also includes a fly-back circuit, consisting of secondary transistor winding 28 and rectifying circuit 48, to increase the voltage produced by the source side of transformer 22. The +12V voltage produced is placed on a second positive polarity terminal.

Josephson is silent with regard to including means for short-circuiting the positive and negative terminals upon loss of source power.

Deaver discloses a discharge circuit for capacitors in a power supply. The power supply shown in the figure includes a first circuit that generates a positive polarity voltage, consisting of the two diodes shown on the right of full-wave rectifier 12 and connected to the positive node. This node is connected to a capacitor 14. The positive polarity voltage is output via terminal +VOUT.

The power supply also includes a second circuit that generates a negative polarity voltage, consisting of the two diodes shown on the left of full-wave rectifier 12 and connected to the negative node. This node is connected to a capacitor 16. The positive polarity voltage is output via terminal +VOUT. The transformer 10 is center-tapped to ground. When the AC voltage is removed capacitor 24 charges, which allows current to flow through the emitter-collector junction of PNP bipolar junction transistor 28 (column 3, lines 62-65). This discharges capacitors 14 and 16 (column 3, lines 66-67).

As stated in column 1, lines 61-66, this serves the purpose of preventing the discharge of hazardous amounts of charge stored in the capacitors, which makes the power supply safer. For this reason, it would have been obvious at the time of invention

to have Josephson include a discharge means between the positive terminals and the negative terminals.

Josephson is silent with regard to including a diode between the first and second positive polarity output terminals.

Preis discloses a power supply that includes an electronic switch 22 (Figure 1), which acts as a chopper circuit. Diode 44 and capacitor 45 form a fly-back circuit for boosting the voltage produced by electronic switch 22 and transformer 2. The voltage created by the fly-back circuit at second terminal "a" with respect to ground is greater than the positive voltage on first terminal "b", which is connected to the output of transformer 2 via diode 31. Specifically, the voltage at terminal "a" with respect to ground is equal to U4, which is equal to the voltage at terminal "b" with respect to ground (U2) plus an additional voltage U3 (column 4, lines 1-37).

Terminals "a" and "b" are connected with zener diode 46 (column 5, lines 29-34).

As stated in column 5, lines 29-34, the advantage to including a zener diode between the two positive output terminals is that the voltage on the terminals is stabilized and the voltage U3 on capacitor 45 is held at a specific value. For this reason, it would have been obvious at the time of invention to have Josephson include a diode between the two positive polarity output terminals.

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Conclusion

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20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason T. Whipkey, whose telephone number is (703) 305-1819. The examiner can normally be reached Monday through Friday from 8 A.M. to 5:30 P.M. eastern standard time, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber, can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned are (703) 872-9314 for both regular communication and After Final communication.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

or faxed to (703) 872-9314 for either formal or informal communications intended for entry. (For informal or draft communications, please label "PROPOSED" or "DRAFT".)

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Hand-delivered responses should be brought to the sixth floor receptionist of Crystal Park II, 2121 Crystal Drive in Arlington, Virginia.

WTU

January 21, 2003

SUPERVIOLOGY CENTER 2600